

REMARKS

Claim 44 is amended. Claims 27-43 are cancelled. New claims 50-58 are added. Claims 44 -58 are pending in the application.

Claims 27-49 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Dennison U.S. Patent No. 5,292,677; as combined with Arima U.S. Patent No. 5,612,241. With respect to claims 27-43, without admission as to the propriety of the Examiner's rejection, such claims are cancelled.

The Examiner is reminded by direction to MPEP § 2143 that a proper obviousness rejection has the following three requirements: 1) there must be some suggestion or motivation to modify or combine reference teachings; 2) there must be a reasonable expectation of success; and 3) the combined references must teach or suggest all of the claim limitations. Each of claims 44-49 are allowable over the combination of Dennison and Arima for at least the reason that the references, individually or as combined, fail to disclose or suggest each and every limitation in any of those claims.

As amended, independent claim 44 recites forming conductive plugs over substrate node locations within the memory array and forming conductive material over portions of some of the conductive lines within the peripheral area. Claim 44 further recites forming openings through an insulative material, forming a storage capacitor electrode layer within the openings, and entirely removing the storage capacitor electrode layer and at least some of the conductive material received over the conductive lines within the peripheral area to outwardly expose conductive portions of conductive lines within the peripheral area. The amendment to claim 44 is supported by the specification at, for example Fig. 16 and the text at Page 10, lines 10-17. As acknowledged at Page 3 of the Action, Dennison fails

to disclose or suggest the recited formation of conductive plugs and conductive material over portions of some conductive lines within the peripheral area.

The Examiner indicates reliance upon Arima as disclosing formation of conductive material over a substrate, including formation of conductive plugs and conductive material over conductive lines. However, Arima does not disclose or suggest the claim 44 recited entirely removing storage capacitor electrode layers and at least some of the conductive material received over conductive lines within a peripheral area to outwardly expose conductive portions of conductive lines. Accordingly considered in combination, Arima and Dennison fail to disclose or suggest the claim 44 recited formation of conductive material over portions of conductive lines within the peripheral area, forming storage capacitor electrodes within openings, and entirely removing storage capacitor electrode layer and at least some of the conductive material over the conductive lines within the peripheral area to outwardly expose conductive portions of conductive lines. Accordingly, independent claim 44 is not rendered obvious by Arima and Dennison and is allowable over these references.

Dependent claims 45-49 are allowable over Dennison and Arima for at least the reason that they depend from allowable base claim 44.

New claims 50-58 do not add “new matter” to the application since each is fully supported by the specification as originally filed. Claim 50 is supported by the specification at, for example, page 5, lines 20-24; page 6, line 1 through page 8, line 6; and Figs. 3-8. Claim 51 is supported by the specification at, for example page 6, lines 10-12. Claim 52 is supported by the specification at, for example, page 7, lines 1-3. Claim 53 is supported by the specification at, for example, page 6, lines 6-8. Claim 54 is supported by the

specification at, for example, page 5, lines 11-13. Claim 55 is supported by the specification at, for example page 5, lines 15-17. Claim 56 is supported by the specification at, for example Fig. 10; and page 9, lines 7-13. Claims 57-58 are supported by the specification at, for example page 8, lines 7-13.

For the reasons discussed above, claims 44-49 are allowable and claims 50-58 are believed allowable. Accordingly, applicant respectfully requests formal allowance of pending claims 44-58 in the Examiner's next action.

Respectfully submitted,

Dated:

June 13, 2005

By:

Jennifer J. Taylor

Jennifer J. Taylor, Ph.D.

Reg. No. 48,711